



Rule Adoption Notice

Water Conservancy Boards, Chapter 173-153 WAC

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Requirements of the rule

The purpose of this rule is to establish procedures the department of ecology, water conservancy boards, applicants, concerned agencies, and the public will follow in implementing Chapter 90.80 RCW. Chapter 90.80 RCW authorizes the establishment of water conservancy boards and vests them with certain powers related to water right transfers.

Summary of the rule changes adopted on September 7, 2006

This proposed rulemaking would amend Chapter 173-153 WAC to reflect the legislative amendments to Chapter 90.80 RCW and 90.03 RCW adopted during the last two legislative sessions and provide additional information concerning the crediting of training to board commissioners during their term of service. Substitute House Bill 2307, Chapter 104, Session Laws of 2004, entitled Water Conservancy Board - Commissioner Eligibility, provided a definition of a "water right holder" for the purpose of determining representation requirements of board commissioners. This definition differs from the definition within the rule proposed to be amended. Engrossed Substitute Senate Bill 6125, Chapter 10, Session Laws of 2004, entitled Water Conservancy Board - Alternate, defined the position of "Alternate Commissioner" and authorized certain conditions under which an alternate may serve in the place of an absent commissioner. The adopted definition and conditions for service as a commissioner differs from that contained within the rule. Engrossed Substitute House Bill 2309, Session laws of 2005, entitled Water Right Fees, modified the fees associated with the examination of water right change applications and eliminated the collection of a fee to Ecology for applications filed with Water Conservancy Boards. The proposed rule amendment eliminates the requirement that boards forward a fee to the Department and clarifies other application processing issues related to a departmental fee within the rule. The proposed rule will also clarify reporting and documentation requirements and evaluation criteria for training credit of commissioners during their term of service.

Effective Date

This amendment to Chapter 173-153 WAC becomes effective on October 7, 2006.

Appeal procedures

This adoption can be appeal under procedures described in the Administrative Procedure Act (RCW 34.05.330). For additional information about appealing this adoption please contact Jerry Thielen, Ecology's Regulatory Affairs Manager at (360) 407-7551 or by email jthi461@ecy.wa.gov.

